

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MULTI-COLOR CORPORATION)	
4053 Clough Woods Drive)	
Batavia, Ohio 45103)	
)	Case No. 1:10-cv-280
Plaintiff,)	
)	Judge
vs.)	
)	
GRAPHIC PACKAGING INTERNATIONAL,)	
INC.)	
814 Livingston Court)	
Marietta, Georgia 30067)	
)	
Defendant.)	

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Multi-Color Corporation (“Multi-Color”), complains against the
Defendant Graphic Packaging International, Inc. (“GPI”) as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement and arises under the Patent Laws of the
United States, Title 35, United States Code.

THE PARTIES

2. Multi-Color is an Ohio corporation having its principal place of business at 4053
Clough Woods Drive, Batavia, Ohio 45103. Among other things, Multi-Color is a manufacturer
of labels for a variety of consumer products.

3. Upon information and belief, Graphic Packaging International, Inc. is a Delaware corporation, having its headquarters at 814 Livingston Court, Marietta, Georgia 30067, and further having a facility located at 10600 Evendale Drive, Cincinnati, Ohio 45241. Upon further information and belief, GPI is, among other activities, a provider of labels for a variety of consumer products. GPI has substantial and continuous contacts with this judicial district through its business activities.

JURISDICTION AND VENUE

4. Federal question jurisdiction is conferred pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue in this Court is based upon 28 U.S.C. §§ 1391(b)-(c), and 1400(b).

BACKGROUND FACTS

6. For decades, Multi-Color has been a leading manufacturer of labels for a variety of consumer products. For example, Multi-Color specializes in the most technically demanding and complex applications for labels for consumer products. Multi-Color's innovative labels are offered for sale, and are sold, to customers throughout the United States, as well as internationally. Multi-Color and its innovative labels provide customers with a wide variety of options for their products, and marketing and labeling needs.

7. The technology used by Multi-Color in its heat transfer labels, among other things, is disclosed and claimed in United States Patent No. 7,622,171, entitled "Heat Transfer Label" ("the '171 patent"), which was duly and legally issued on November 24, 2009, and assigned to Multi-Color on April 25, 2006. A copy of the '171 patent is attached hereto as Exhibit 1.

8. Multi-Color is the owner by assignment of the '171 patent.

9. On information and belief, GPI has manufactured and/or sold, and is currently manufacturing and/or offering for sale, heat transfer labels, including but not limited to a heat transfer label for Tidy Cat products (“GPI Tidy Cat Label”).

COUNT I - INFRINGEMENT OF U.S. PATENT NO. 7,622,171

10. The allegations of paragraphs 1-9 are incorporated herein by reference as though fully set forth herein.

11. GPI has infringed and continues to infringe, and induce and/or contribute to the infringement of the ‘171 patent by its manufacture, use, offer for sale, sale and/or importation into the United States, of heat transfer labels, including the GPI Tidy Cat Label.

12. On information and belief, the acts of infringement complained of herein are being carried out willfully and with full knowledge by GPI of the ‘171 patent.

13. As a result of GPI’s actions, Multi-Color has suffered and continues to suffer substantial injury, including irreparable injury, and will result in damages to Multi-Color, including loss of sales and profits, which Multi-Color would have made but for the acts of infringement by GPI, unless GPI is enjoined by this Court.

WHEREFORE, Multi-Color prays for relief against GPI as follows:

A. That a judgment be entered that GPI has infringed, induced the infringement of, or contributed to the infringement of, United States Patent No. 7,622,171;

B. That GPI, its agents, sales representatives, servants and employees, associates, attorneys, parents, successors and assigns, and any and all persons or entities acting at, through, under or in active concert or participation with any or all of them, be enjoined and restrained

preliminarily during the pendency of this action and thereafter permanently, from infringing United States Patent No. 7,622,171;

C. That a judgment be entered that GPI be required to pay over to Multi-Color all damages sustained by Multi-Color due to such acts of infringement and that such damages be trebled pursuant to 35 U.S.C. § 284 for the willful acts of infringement complained of herein;

D. That this case be adjudged and decreed exceptional under 35 U.S.C. § 285 entitling Multi-Color to an award of its reasonable attorney fees and that such reasonable attorney fees be awarded;

E. That Multi-Color be awarded its costs and prejudgment interest on all damages; and

F. That Multi-Color be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff Multi-Color Corporation hereby demands and requests trial by jury of all issues raised that are triable by jury.

Respectfully submitted,

MULTI-COLOR CORPORATION

Dated: May 3, 2010

s/ Brett A. Schatz

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